

BOARD OF MAYOR AND ALDERMEN

February 3, 2004

7:30 PM

Mayor Baines called the meeting to order in Joint Session with the Library Trustees.

The Clerk called the roll.

Aldermen:

Present: Roy, Gatsas, Guinta, Sysyn, Osborne, Porter, O’Neil, Lopez, Shea, DeVries, Garrity, Smith, Forest

Absent: Alderman Thibault

Library Trustees:

Present: Mayor Baines, Karen Sheehan-Lord, Joanne Barrett, Mary Heath, Joseph Sullivan, Kevin C. Devine

Absent: Madeleine G. Roy

Mayor Baines advised that nominations are in order to fill the expired term of Roger Duhaime, term expiring October 1, 2009.

Alderman Roy moved to nominate Jeffrey Hickock a Ward 1 resident as a Library Trustee. Library Trustee Joseph Sullivan duly seconded the motion.

On motion of Alderman Shea, duly seconded by Alderman Sysyn it was voted to close nominations.

On motion of Alderman O’Neil, duly seconded by Library Trustee Kevin Devine it was voted to suspend the rules and confirm the nomination of Jeffrey Hickock as a Library Trustee, term to expire October 1, 2009.

There being no further business to come before the Joint Session, on motion of Alderman Roy, duly seconded by Alderman Sysyn it was voted to adjourn the Joint Session.

Mayor Baines called the regular meeting to order.

The Clerk called the roll.

Present: Aldermen Roy, Gatsas, Guinta, Sysyn, Osborne, Porter, O’Neil, Lopez, Shea, DeVries, Garrity, Smith, and Forest

Absent: Alderman Thibault

Mayor Baines stated I would like to make a couple of introductions. I would like to introduce the new Director of the Office of Youth Services, Marty Boldin. He started this week and I wish him the best of luck. I would also like to introduce a new member of the press, a new reporter in town for the Hippo Press, John Zorabinian. We welcome you to the beat. First of all before we go any further I would like to thank the City Clerk and his staff. Once again the task of running a Presidential Election is quite a task and to have an election of that nature come off with such a large turnout and obviously the media being around the polls they did an absolutely extraordinary job, especially helping ABC showcase our City and City Hall. Peter Jennings did one of his newscasts right here from the Aldermanic Chamber and I happened to be in Washington and watched it and saw the great seal of the City in the background and it made me very proud that the network was able to showcase our City so again thank you Leo and his staff for a great job. I also want to thank Ron Ludwig and his staff for doing the same with McIntyre Ski Area where MSNBC was headquartered. Again, those of us who had the opportunity to participate got to see the excitement about Manchester and by the way having run into many different reporters and in doing various interviews with the networks a lot of the correspondents hadn't been to Manchester in four years and to hear their comments about how the City had changed and what a beautiful City we had was very, very gratifying but I have to say that it was kind of nice when the next day we woke up and the traffic jams were gone from Elm Street and the people were gone but it was wonderful, wonderful occasion and we should be very proud of the welcome mat that was put out by all of the City agencies that participated in welcoming all of these people from all over the world to Manchester. Now we would like to have a presentation regarding the Jac Pac situation. First of all, today is a very sad day in Manchester with the closing of Jac Pac. I do want to give special commendation to Irwin Muskat and his son and the team that he pulled together. Irwin made a very gallant effort to sell a portion of that business and I worked with him, as did our staff. We had numerous conversations with the executives from Tyson to try to pull something together. We were unsuccessful but I want to publicly commend Irwin for making that effort and even though he wasn't successful I could tell you he put his heart and soul into that company that he loved so much and the employees who were so loyal to him as well. We also have made contact with the Jac Pac officials. I made them very aware that we would have some interest in that property and that facility as you look at a City that really needs land for development and redevelopment, especially in proximity to the riverfront and we intend to have some further discussions with them about any possibilities that might be available for Tyson to work with the City on a possible acquisition of that property. So we are looking forward to those discussions and hopefully we will be able to bring something back to the Board. I would like to turn it over to David and I would like to thank David Scannell because when we received the announcement about Jac Pac closing David went to work immediately and assembled all of the different agencies associated with City government. He coordinated a City wide effort that resulted in people from all of these agencies being present in this room on several different occasions talking

about how they could collectively bring their resources together to provide a safety net for the officials. I want to thank David for that and at that same time as I did at the Chamber gathering earlier thank Senator Gregg and all of the delegation for working with the Department of Labor to secure that \$2.7 million grant that is going to help with retraining of that workforce. So having said all of that I would like to introduce David and I would like to publicly thank David. David doesn't like the spotlight.

Mr. David Scannell stated very briefly in front of you, you should have a request for assistance from the City's contingency fund for what the ad hoc group that the Mayor referenced is attempting to put together. Let me first introduce Gail Garceau from the United Way, Chris Beauvais from Southern NH Services and Ron Giroux from Southern NH Services. It is Southern NH Services that is really going to bear the brunt of the responsibilities going forward. I am just going to summarize what the request is about and tell you a little bit about how we arrived at where we have arrived today. As the Mayor mentioned, as Jac Pac announced its closing early in December we convened a meeting in this room of approximately 15 agencies and everyone had this great desire to contribute and was wondering what the best way to contribute would be and how people could channel the energy that they wanted to devote to this project. Well obviously we had to rely for the bulk of the resources on the Federal government and we were gratified that Senator Gregg and the Congressional delegation were able to put that \$4 million package together but all of the things that that will pay for are going to take a bit of time. In the meantime, the social service organizations have decided they wanted to do two things. First of all, put together a job fair, which was held on January 26 to get as many employers as possible assembled in one room to get as many Jac Pac workers to help them secure employment. I was told at a meeting last week that about 70 Jac Pac workers actually did gain employment through that fair so that is a good record. That is more than 10% of the people that we are looking to place. The second part, however, is putting together a resource fair that we have scheduled for February 13, which is two Friday from now at St. George's Greek Orthodox Church. In that room, in their common room, the same place that the fair was held for the jobs we will have social service agencies from across the Southern NH region and the effort is to put together a one-stop shopping for Jac Pac workers and their families. They are going to be facing gaps in their income. They are going to need assistance with food, fuel and all types of other demands that they may not be able to meet. So what we have done in order to get that off the ground is put together a proposal that you see before you, which pays for the most significant costs of the job and resource fair really and that is translator services. You will see a breakdown or a budget that is attached to this but the bulk of the money that we require will be for translator services because there are, as we mentioned here, 10 languages spoken at the plant. We would be happy to answer any questions. Gail has been wonderful in coordinating a number of these agencies and what Ron and Chris can talk about perhaps are some of the details of what the \$2.4 million once we get past this initial phase, will be able to pay for and we are happy to answer questions and we would ask you to consider the request for \$4,750.00 from Contingency tonight.

Ms. Gail Garceau stated the only thing that I would add is this is clearly the community coming together to help itself. We have contacted a number of social service agencies. The business community has come together. The faith community and the school departments and this is really a great example of the community seeing a need, seeing gaps and the community coming together to help itself. So, I would support obviously the request in the hope that it will be considered favorably. Thank you.

Mr. Scannell stated the specific role that Southern NH Services would fill tonight is answering any questions about the workforce opportunity grant, the \$2.0+ million and how they envision that will be administered.

Mayor Baines stated I think it would be a good idea, not only for the Aldermen but for the people listening at home that share our concerns, to explain a little bit about how that grant will be utilized.

Ms. Christine Beauvais, Southern NH Services, stated the grant that has just been approved that NH is receiving was submitted by the state. It is discretionary Department of Labor funds and it is called a National Emergency Grant. These funds are to provide a full range of reemployment and training services for the laid-off Jac Pac workers. We have set-up already some facility in Jac Pac until the building closes to begin providing those services to the individuals there and staff are working with them. However, now this grant will be able to fund staff to work with these individuals to help them to determine whether they want to stay in the positions they are in, find new employment, look into new career opportunities. It will provide training funds for them to train for new careers. It will provide English as a Second Language classes, which will be held right at the center. I am in the process right now of writing Requests for Proposals looking at the community and other organizations that might be able to provide those services so those services will be available as well as some job development services to really focus on the specific needs of these workers. This program will be in place for two years and hopefully will help as many Jac Pac people as possible.

Alderman Lopez stated in understanding this grant and reaching out to the community here, we sanctioned the Manchester Resource Center in Manchester here...do you think that maybe a meeting could be set-up because they do a lot of this work as far as placing people for jobs and training and have translators over there. Do you anticipate a working relationship with them?

Ms. Beauvais responded we are looking to certainly foster as many relationships with community organizations as possible. Under the rules of some of the Federal programs such as this, group programs need to be procured so we would need to then put out Requests for Proposals and all of the organizations in the area that provide services will be getting that RFP directly and there will be a review committee made up of members of organizations that

will be reviewing those proposals. So, both the job development services and the English as a Second Language classes will be procured in that way.

Alderman Lopez stated the other question I have if you staff could look at is they already have a building and they already have space over there and maybe you could utilize some of that because some of the people from Jac Pac have already been over there. I was wondering and I don't want to get too much into it but I was wondering if your staff could maybe look at the Manchester Resource Center to see if there is something there.

Ms. Beauvais responded we will certainly be looking at all locations. It looks as though the programming needs call for a space that would be approximately 5,000 square feet, something quite substantial and we are looking for a center that will be sort of a one stop shop for these workers to receive all the services that they need to receive so we will be looking at spaces in the City of Manchester that can meet those needs.

Mayor Baines asked you said 5,000 square feet.

Ms. Beauvais answered yes approximately. We are looking for a couple of classrooms for the English as a Second Language classes. We will be having a computer resource area and there will be staff on the project, which will be some career counselors and peer support workers who will actually be former Jac Pac employees, a project coordinator and so on so we will be looking for ample space to house all of those programs and activities.

Mayor Baines stated so anybody listening at home and obviously the media is here tonight but if they had something that they wanted to make available or offer who would they contact with that information.

Ms. Beauvais asked regarding space.

Mayor Baines answered anything.

Ms. Beauvais stated they can contact me.

Mayor Baines asked could you give your name, organization and a telephone number.

Ms. Beauvais answered my name is Christine Beauvais from Southern NH Services. The phone number is 668-8010, ext. 6137.

Alderman Porter moved to approve taking \$4,750.00 from Contingency. Alderman DeVries duly seconded the motion.

Alderman Gatsas asked do you have a complete breakdown of the allocation of that \$2.4 million and whether it is going to go to help the employees, whether it is with fuel assistance or housing or...is there a breakdown.

Ms. Beauvais answered there was a budget as part of the submission by the state to the Department of Labor. Costs such as fuel assistance and those types of things will be resources that we will be looking for some of the community organizations to provide. Those are not basically allowable costs in this grant. The grant would provide, however, as I said retraining for workers and some supportive services, which would include things such as childcare assistance, transportation, emergency aid perhaps while people are in job search or in training programs. So there are certain allowable expenses in that grant.

Alderman Shea asked the money is going to be coming from where.

Mayor Baines answered contingency.

Alderman Shea asked is there any restriction on any of the workers. Some are from Massachusetts and some from New Hampshire. Is there any restriction or is it going to be all inclusive?

Ms. Beauvais asked do you mean for the Jac Pac employees.

Alderman Shea answered yes.

Ms. Beauvais stated about 10% of the Jac Pac employees do reside in Massachusetts. I actually had worked in Massachusetts and I made connections with folks there. If Jac Pac workers from Massachusetts wish to come to the center there is established here they are more than welcome. If they feel that it is closer to home to go to Lowell or Lawrence where they reside they can do that as well and we can do an arrangement or an agreement with those areas to provide some funds from the grant to those areas to work with those workers.

Alderman Shea asked are there any Massachusetts people working with the Massachusetts residents or is it strictly New Hampshire.

Ms. Beauvais answered if folks chose to go to Massachusetts they can work with the one-stop career centers in Lowell or Lawrence where they reside if they wish to.

Mr. Scannell stated the money that we are asking be approved this evening would be designated according to the invitation that we put out to the Jac Pac workers only to New Hampshire residents, which may mean that there may be some not living in Manchester but we did specify only New Hampshire residents for what would be covered with the \$4,750.

Alderman Shea asked but the \$2.4 million applies to all.

Mr. Scannell answered yes.

Alderman DeVries stated I didn't catch the start-up for when you anticipate that the grant may be in place and some of the job retraining would be happening.

Ms. Beauvais responded the grant has been approved but there has been a press release. We don't have the official notification of the start date. Generally from my experience the start date will either be the lay-off date or the date of approval so I am expecting within a week or so that we would have the approval date but we aren't waiting until them to begin services. There are already staff located at Jac Pac working with these workers and as you know you have heard about the resource fair and the job fairs and all of those activities that are going on. Once we get the grant we will just be sort of continuing on in perhaps a new location and so on but we are really not waiting for that to happen to start.

Alderman DeVries stated the only other comment I have David since I have your ear and not the Mayor's you might want to take a look at French Hall. I don't know currently where the marketing of French Hall is and if it is available for use but it certainly was set-up for classrooms and might be appropriate if we can make use of that. We heat it so we might as well get use from it.

Alderman Gatsas stated my understanding according to the grant is that these items here may be recoverable items so if we as a City are fronting that money for the assistance in this project my belief is that it allows for the interpreters because this is basically a job fair here within itself.

Mr. Scannell responded right the original proposal that we had put together actually was significantly larger in terms of dollars requested. What Ron had done was go through and extract those items that he felt were recoverable based on the \$2.4 million. It is my opinion that we pared it down to the least that we would need to ask for the amount that may not be covered in the \$2.4 million.

Ms. Beauvais stated I mentioned earlier about the start date of the grant and most of these costs have been incurred already. Once the Department of Labor approves this grant nothing can be funded prior to that approval date. So these are costs which will be incurred before the approval date from the Department of Labor so they will not be legitimately charged against the grant.

Alderman Gatsas stated with all due respect the grant has already been approved. The funds haven't been dispersed but the grant has been approved.

Ms. Beauvais responded the grant is not official until there is a notice of obligation issued from the U.S. Department of Labor. That has not yet been issued. I again had this experience in Massachusetts with 20 grants that I wrote and submitted. Until that comes out we really do not know what the approval date is and they will not afford an approval date prior to the lay-off date because they consider that early intervention work and will not even consider giving an approval date prior to today basically would be the earliest possible date.

Mayor Baines called for a vote on the motion to transfer \$4,750.00 from Contingency to assist in the organization of a job fair and a resource fair to help workers displaced by Tyson Foods' closure of Jac Pac.

There being none opposed, the motion carried.

Mayor Baines stated before we move to the agenda I have been asked to bring to your attention that the annual Chamber of Commerce Citizen of the Year Dinner is in conflict with our March 2, 2004 BMA meeting. My recommendation so that we can have an opportunity for members of the Board to go and recognize our Citizen of the Year is to move the date to March 3, 2004. The Clerk has cleared that date and if I would ask for a motion to have the meeting moved from March 2nd to March 3rd to accommodate the Chamber's Citizen of the Year Dinner.

Alderman Shea moved to change the Board of Mayor and Aldermen meeting date from March 2 to March 3, 2004. Alderman Forest duly seconded the motion. The motion carried with Aldermen O'Neil and Porter being duly recorded in opposition.

Alderman Lopez stated maybe we can instruct them not to have their dinner anymore on a Board meeting night.

Mayor Baines responded well we will try to ask them not to schedule it on those nights. Sometimes they have speakers and they try to coordinate it.

Alderman O'Neil stated we did it last year because of a special situation and now it seems like it is becoming the norm.

Mayor Baines replied I will discuss this with the Chamber to see if they can accommodate that. It is important to recognize the Citizen of the Year and we should have City officials attend that dinner if possible.

CONSENT AGENDA

Mayor Baines advised if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Informational – to be Received and Filed

- B.** Minutes of the January 21, 2004 Mayor's Utility Coordinating Committee.
- C.** Communication from the NH Department of Environmental Services advising of an application from Verres Financial Corp. of Manchester for a Site Specific Permit to disturb approximately 184,000 square feet for the construction of a 7-lot residential subdivision project entitled the Glen Forest Drive Extension Subdivision.
- D.** Copy of a communication from the NH Department of Environmental Services advising of the issuance of Standard Permit No. DES-SW-SP-03-007 authorizing Angel Steam, LLC to process solid waste materials at 396 Pepsi Road.
- E.** Copy of a communication from the NH Department of Transportation advising of anticipated awards.
- F.** Communication from Bryan Christiansen introducing himself as the new Manager of Government and Community Relations for Comcast's cable operations in New Hampshire and Maine.

REPORTS OF COMMITTEES

COMMITTEE ON LANDS AND BUILDINGS

- J.** Recommending that the Board of Mayor and Aldermen find property located on Fairfax Street surplus to City needs and further that:
In accordance with RSA 80:80 the Mayor be authorized to dispose of certain property situated on Fairfax Street known as Map 0840, Lot 0004 by executing deeds releasing all rights, title interest, or claims in said property. Said property formerly owned by Demetrios Sobliros was acquired by the City of Manchester by virtue of Tax Collector's deed dated October 5, 2001 and recorded in the Hillsborough County Registry of Deeds on October 11, 2001, Volume 6502, Page 2544.
The Committee recommends that said property be disposed of through public auction with a minimum bid to be set at \$60,000.
The Committee advises that it has found such property to be surplus to City needs; and that the Board of Assessors has provided an opinion of value in the range of \$40,000 to \$60,000.
The Committee further recommends that the Tax Collector and City Solicitor be authorized to proceed with disposition and prepare such documents as may be required, and that the Finance Officer be authorized to credit tax deeded accounts as deemed necessary.

HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN O'NEIL, DULY SECONDED BY ALDERMAN GARRITY IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

- A.** Communication from Dick Anagnost, Anagnost Investments, Inc., and Dick Dunfey, Manchester Housing and Redevelopment Authority, affirming their agreement with the Old Wellington Road/Foxwood Circle Community that their development of the 9.6 acre parcel on Old Wellington Road will be limited to a maximum of 90 units.

Alderman Porter stated I guess I have a question about the development. This perhaps would be covered under G and H as well but I would like to find out from Mr. MacKenzie have you spoken with the abutters from that area about this rezoning?

Mr. Robert MacKenzie answered yes I did have one meeting with a large majority of abutters. This was when the Board was considering the sale of the property. They indicated a number of concerns. Their primary concern was traffic issues, particularly as it related to only one access point onto Old Wellington Road. So there were concerns expressed. We did have a good meeting. I have since talked to other neighbors in the area and there have been some concerns expressed.

Alderman Porter asked so you have spoken with all of the abutters that were available to you. The meeting you are referring to when was that held?

Mr. MacKenzie answered that was in the fall of last year. It was held at the house of one of the abutters and it seemed like a fairly good representation of the neighborhood at that time. I have since spoken to a couple of other people who live somewhat further out.

On motion of Alderman O'Neil, duly seconded by Alderman Roy it was voted to receive and file this item.

Report of the Committee on Bills on Second Reading:

G. Recommending that Ordinances:

“Amending the Zoning Ordinance of the City of Manchester by amending Section 5.10 Table of Principal Uses by allowing single-family attached (townhouse) dwellings (item A.2) as a permitted use within CBD district (Central Business District).”

“Amending the Zoning Ordinance of the City of Manchester by changing the allowed density of multi-family housing in the Central Business District under ‘Minimum Additional Lot Area for each Unit after the first three units’ from 1,000 square feet to 500 square feet.”

ought to pass.

Alderman Osborne stated I wasn't at the Bills on Second Reading meeting but it says here it ought to pass so I would like to have Mr. MacKenzie elaborate a little bit on this.

Mr. MacKenzie responded these were two changes that we reviewed actually at the request of the attorney for one of the development groups in the Riverfront Stadium area. There is a housing project there and they had certain concerns with the ordinance as it exists. I would note that that ordinance stems from the Year 2001 and there had been no housing projects other than the Bridge and Elm project in the Central Business District. The concerns they had were that townhouses were not permitted in the downtown area and they also had concerns with the unit density, which was established in 2001. Prior to 2001 there was no density limit in the downtown area. There was an amount established and they prepared two changes that you see here. Our staff did review it. We compared them against some other projects in the downtown and felt that they were reasonable to proceed to hearing and

proceed to the Committee. I know the Bills on Second Committee did discuss it and did recommend that it ought to pass.

Alderman Osborne asked is this both one and two on item G. Are you talking about both of them?

Mr. MacKenzie answered yes. They both came from the attorney representing the housing development in the Riverfront Park area.

Alderman Osborne asked how does this affect the density.

Mr. MacKenzie answered the first one would really not affect density. In essence it just allows townhouses. I would note that when we did the overlay zoning district for the arena area we did allow townhouses in that area. I don't see a particular issue and that would not increase in my mind the density in the downtown. The density under the second one would allow basically twice the density as established by the ordinance. I would note, however, that prior to the year 2001 there was not density whatsoever. We did in our staff look at a test...for example we compared the Wall Street residential tower to both the current ordinance and how it is proposed here. Under the ordinance that was passed in 2001 we felt that it was too restrictive. Wall Street Towers could not have been built under those previous regulations. So yes it would allow an increase in the density in the downtown.

Alderman Osborne asked so both of these are not consistent with the Master Plan.

Mr. MacKenzie answered if you look at the Master Plan, there was a concern about the density in the outlying areas of the R-3 and R-4 zones. I don't think the Master Plan indicated any concern about density in the central part of the City. In fact, the Master Plan encouraged more development downtown so that we would have housing in the downtown along with office, retail and other uses. I can't off the top of my head say that this would be inconsistent with the Master Plan.

Alderman Lopez stated this is one of the items that needs to be done. It went through Bills on Second Reading but I would like to have assistance from the City Clerk because there is a procedure here and I would like her to give us some guidance on the procedures we should follow.

Deputy Clerk Johnson responded it is my understanding that Alderman Lopez is looking to suspend the rules and place these ordinances on their final reading at this time but I think he also wanted Items H and I as well as I understood it so perhaps you want to defer this item for a few minutes and take up H and I and then deal with all of them at once. They are all ordinances that is why.

Report of the Committee on Bills on Second Reading:

H. Recommending that Ordinances:

“Amending the Zoning Ordinance of the City of Manchester by clarifying Section 4.01 Establishment and Purpose of Districts, subsection (5) Residential Suburban Multifamily District (R-SM) by clarifying the purpose of the district and the minimum size.”

“Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multifamily) zoning district to include the full extent of a parcel of land on Old Wellington Road (TM 645, Lot 10) currently zoned R-1A.”

ought to pass.

Alderman Shea stated this particular ordinance has to do with amending the zoning ordinance of the City by extending the R-SM Residential Suburban Multifamily Zoning District to include the full extent of a parcel of land on Old Wellington Road. I am opposed to this, your Honor. I am also speaking for the residents that are here tonight that have opposed it. One is an abutter, would like it tabled this evening, which I would suggest we do and the other had a previous discussion here...Mr. Coughlin. I want to list a few thoughts that I have on this matter and then obviously it is up to the members of the Board to make their own judgement. The first is that in my judgement this is either spot zoning or the nearest thing to spot zoning that we could have in the City here. This amendment is obviously not consistent with the City's Master Plan. Obviously the Master Plan has not been updated and one of my colleagues pointed out that it is a guide but if it is called a Master Plan then it certainly has relevancy in my judgement. The next is this particular change will allow developers, because of its impact...this is very significant. Because of the impact of the decision that we make this evening there is in my judgement a grandfather effect that will change the zoning district because of the unintended consequences of this action. I don't have to mention too many times that because of this change of zoning people have appeared before both this particular Board as well as the Planning Board in order to change the area on Candia Road and by doing this and Mr. MacKenzie indicated I believe at our meeting that we had previous to this when I asked him will it impact Candia Road and asked for a yes or no and he said yes. The more affordable housing and again that is the purpose of this, to put affordable housing that this City permits the less other nearby communities will provide for the financial impact that we as a community have to bear as taxpayers in this community. In essence, the more housing that we put up that is affordable housing, the more the burden is going to be placed on taxpayers so that when we rezone this and put 90 affordable housing units here and then Candia Road is rezoned and there is more housing put there, basically we are going to call on our schools, we are going to call on our Highway Department and Police and Fire Departments. So these are burdens that we have to place on our taxpayers. Other communities should bear this particular responsibility. Because we have a regional kind of situation here best explained by the Manchester Housing Authority but we are regionally controlled so we will never ever as a community make up for all of the affordable housing that we are probably going to put into our community if we keep putting it in and other communities that outly the Manchester community here are not providing the same services so we have to look at this and may I finally say that this isn't a

problem that is unique to 2004. In 1998, it was the same situation so we have been really trying to deal with this problem and we really don't have a good grasp on how we are dealing with it. We are doing it, in my humble opinion, helter skelter. A developer comes in and he wants to change it they use the Manchester Housing Authority in order to push through this particular situation, the developer gains Federal funds and the Federal funds are allowed to build this and then the burden is placed on the community. So, it is not an easy problem to solve but my suggestion is that we table this, this evening. Thank you, your Honor.

Alderman Osborne stated I think what Alderman Shea is trying to say is that we are spending Federal monies to lose money. That is my look at it.

Mayor Baines responded I respectfully disagree with that.

Alderman Guinta asked how much Federal funds are being utilized for this project.

Alderman Porter stated point or order, your Honor. Why are we taking Item I up with Item H when they are two totally separate issues?

Mayor Baines responded well we don't have to. The Clerk had recommended that they be dealt with together. We can deal with them separately.

Alderman Porter replied I request that we deal with them separately.

Mayor Baines stated that is a good suggestion. Can I have Mr. Anagnost and Mr. Dunfey come forward please? You might want to address some of these other issues that have been raised too because I put together a very wide ranging Housing Task Force that gave its final report about a year and a half ago that identified housing as one of the most critical issues in the City of Manchester from Manchester residents. I don't know if you wanted to address some of those issues plus the Federal funding.

Alderman Guinta stated before they begin I would like to add that I can appreciate and share some of the concerns that Alderman Shea has tried to address but the solution is not to ignore the need for low and moderate income housing. That is not the solution. If there is a way that we can provide assistance to those people who are in need today and come up with a more comprehensive plan that meets the approval of every member of this Board then that would be appropriate but I don't think it is appropriate to ignore today's problems and not try to address it.

Mr. Dick Dunfey stated I am the Executive Director of the Manchester Housing and Redevelopment Authority. I guess I would start by agreeing with Alderman Shea that sure we would all like to see outlying communities and all communities do more to address the

low income affordable housing needs that exist everywhere in this country. It is a problem throughout the country but here in Manchester we have upward of 30,000 households renting in this City and 1/3 of them are paying more than 30% of their income for rent. 25% of them are paying 35% of their income or more for rent and upward of 20% of those households are paying more than half of their income for rent. Now when you are doing that you are forced to make some terrible choices and those choices are do you feed your family, do you clothe them, do you get proper medical attention or do you pay for shelter because you can't do all of those things adequately. There is no way to do it. Those people are here. They are in our midst. They are families, working families with children. They are elderly. 5,500 of these households are on the waiting list with Manchester Housing and Redevelopment Authority. When they come in for housing assistance we are forced right now because of the dire need to tell them that they are going to have to wait three years or more for assistance. About 1,600 of these households are elderly households. Many of them are in their late 70's, 80's and even 90's. When you tell people in those age ranges that they are facing a three year or more wait, that is a long time. Sadly, it is literally an eternity for some of these people. Frankly, I am almost ashamed to have to tell them that when they come in to see us. We need to address those needs. They are very accute crying needs in this community.

Mayor Baines stated another issue in the community that people are not recognizing here is we have, because of that economic disparity that you are talking about we have families living together. We don't have the statistics on that but we find that throughout our community because of the high cost of rent and the inability of poor and destitute people to provide housing you have families living together sometimes in very small spaces in two or three rooms. You might have 10, 12 or 15 people. I don't want to exaggerate but I have heard stories like that in visiting various organizations within the community. This is a Manchester issue we are talking about. I just want to put that part of that in there.

Mr. Dunfey stated that is very much true. The incidences of doubling and tripling and even worse up in units is unprecedented in this City and in the northeast region right now. The irony is that many of those families have children who are in the schools. We are paying for those children in the schools but we are collecting taxes on one unit so that cuts both ways. If I can just add real quickly the median gross rent in Manchester for a two-bedroom unit is \$1,019 per month right now. That would require based on a 40 hour work week an hourly wage rate of almost \$20 an hour or \$19.60/hour. That is not the average rate in town. That is a real emergency problem in my view.

Mr. Dick Anagnost stated first of all we keep talking about affordable housing and our targeted market is workforce housing – firefighters, teachers...I can tell you that the Certificate of Occupancy is being issued tomorrow on the first building on Biron Street, which is the same target market and for the first 30 units there were 175 applications in the first day. That will give you an idea of the kind of demand in this sector of the marketplace. You know the median rent for this project is not that far below what Mr. Dunfey just

identified as the average rent. These are in the \$800's. So this by no stretch of the imagination is a low-income affordable project. This is more to target the average workforce and the average worker in the Greater Manchester area. In addition to that, Manchester is on a roll business wise. We are getting more people in the downtown. Businesses are relocating to our area and without housing for their workers the growth in Manchester is going to stop. Now to address the question as to how much Federal funding is involved, right now there isn't any because we don't know the targeted level that we will need but I can tell you that 90% of this deal will either be equity from our limited partners or a tax-exempt bond, which will be issued by the State of New Hampshire. As far as Federal funding, the level of Federal funding which actually be very, very small. In closing I would like to say that more than 50% of the housing units coming on line in the northeast right now have Federal funding involved with them. Now as a credit enhancement for the bond we are going to be pursuing a HUD co-insurance guarantee, which is how Biron Street was financed as well and the HUD co-insurance or HUD insurance program is probably involved in 90% of the housing units coming on now in the northeast.

Mayor Baines stated again I will try to restrain myself and my passion for this issue as best I can but I have to tell you a true story of a teacher, which goes right to the heart of what you were saying, Dick. About three years ago this teacher was looking for a place in Manchester and found an apartment. It was a three room apartment and at that time it was \$850/month I believe. The teacher's salary was \$27,500 and the teacher could not get this apartment unless this teacher made \$30,000. That is a real situation that is happening in Manchester right now. These are Manchester people that could not get an apartment and have to look elsewhere to try to live in their own City.

Alderman Porter stated as the Alderman from the ward I have had various reactions to this project and I would like to ask my colleague from Ward 7 if I may be allowed to make the motion to table since it is my ward and I think there needs to be more study. I believe that the City of Manchester has to go forward with a plan instead of a knee jerk reaction to development of vacant land. This initial sale of the land was supposedly to offset a tax rate. I don't believe that the City of Manchester should ever have to be in a position to sell nine acres of land to survive. I don't fault the sale of the land. I do believe that eventually it is very likely that that may be R-SM multi-family and we know there are people waiting for apartments. I do know that in one of the wards that has some developable land available. I would like to see this as part of a plan and I think the Master Plan has broken down. I don't know where the problem lies but we have to fix it and I would like to, if my colleague from Ward 7 would allow me to make the motion to table, table it and refer it to the Planning Department for further study.

Mayor Baines stated what we are going to do is we are going to go back in a minute and take them in alphabetical order. We will take G, H and I separately. Any further questions for either Mr. Dunfey or Mr. Anagnost?

Alderman Porter stated your Honor I made a motion. Either we have a second or we don't.

Mayor Baines responded I am not accepting any motion. I have just explained the procedure that I have outlined. We are going to go back and take...

Alderman Porter interjected I respectfully request to override your decision.

Mayor Baines stated we are going to go back on each one of them. I will call on you when we get to Item H and I will let you make a motion.

Alderman Porter stated Your Honor you have refused to accept my motion.

Mayor Baines responded we have moved...

Alderman Porter interjected I have called for an opportunity to override your decision as I have the right to do.

Mayor Baines stated Alderman Lopez please proceed.

Alderman Lopez stated I think the problem here and we discussed this in Committee and discussed this many times...in the last four years we discussed like Alderman Shea has indicated we have two major problems. The problem at hand and the problem with the Master Plan and impact fees in the City. I think they are two distinct issues. It is up to staff and the Planning Board to look into the Master Plan and the impact fees and we shouldn't stop housing in the City of Manchester because of a delay or inefficiency on anybody's part in order to accomplish this and if they need money to accomplish it then it should be the Board of Mayor and Aldermen's responsibility to get that money to accomplish it. I agree that the impact fee of more people moving in the City of Manchester is going to be a problem but we don't know what that problem is and how much impact fee we should be charging like other communities do. Everybody is coming from the south of Manchester so naturally we are going to have more people and we will have more business and we are moving forward. I don't think the issue of the impact fee or the Master Plan ought to take preference over what we are trying to accomplish for affordable housing in this area at this time.

Mayor Baines stated what I would like to do is take Item G. If you could make your motion and then we will go to Items H and I.

Item G

Report of Committee on Bills on Second Reading recommending that Ordinances:
“Amending the Zoning Ordinance of the City of Manchester by amending Section 5.10 Table of Principal Uses by allowing single-family attached (townhouse) dwellings (item A.2) as a permitted use within CBD district (Central Business District).”

“Amending the Zoning Ordinance of the City of Manchester by changing the allowed density of multi-family housing in the Central Business District under ‘Minimum Additional Lot Area for each Unit after the first three units’ from 1,000 square feet to 500 square feet.”
ought to pass.

Alderman Lopez moved to accept the report, suspend the rules, and place the ordinances on their final reading at this time without referral to the Committee on Accounts, Enrollment and Revenue Administration. Alderman O'Neil duly seconded the motion. Mayor Baines called for a vote. The motion carried with Aldermen Gatsas, Osborne, and Shea duly recorded in opposition.

Ordinances:

“Amending the Zoning Ordinance of the City of Manchester by amending Section 5.10 Table of Principal Uses by allowing single-family attached (townhouse) dwellings (item A.2) as a permitted use within CBD district (Central Business District).”

“Amending the Zoning Ordinance of the City of Manchester by changing the allowed density of multi-family housing in the Central Business District under ‘Minimum Additional Lot Area for each Unit after the first three units’ from 1,000 square feet to 500 square feet.”

On motion of Alderman Guinta, duly seconded by Alderman Roy it was voted to read the ordinances by titles only and it was so done.

These Ordinances having had its final reading by title only, Alderman Lopez moved on passing same to be Ordained. Alderman Roy duly seconded the motion. Mayor Baines called for a vote. The motion carried with Aldermen Shea and Osborne being duly recorded in opposition.

Mayor Baines stated we will address Item H now.

(Item H)

Report of Committee on Bills on Second Reading recommending that Ordinances:

“Amending the Zoning Ordinance of the City of Manchester by clarifying Section 4.01 Establishment and Purpose of Districts, subsection (5) Residential Suburban Multifamily District (R-SM) by clarifying the purpose of the district and the minimum size.”

“Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multifamily) zoning district to include the full extent of a parcel of land on Old Wellington Road (TM 645, Lot 10) currently zoned R-1A.”

ought to pass.

Alderman Porter stated first of all as a point I would like to ask the City Solicitor how does an Alderman appeal to the Board for a ruling by the Mayor as the Parliamentarian.

Deputy Solicitor Arnold responded you would do it by asking for an appeal to the Board.

Alderman Porter replied I did that and the Mayor refused my appeal.

Mayor Baines stated what the Chair did Alderman was say we are going to follow the order, that's all, the order of the agenda, which is the printed agenda and that was my ruling.

Alderman Porter moved to table this item. Alderman Shea duly seconded the motion.

Aldermen Gatsas requested a roll call vote. Aldermen Gatsas, Guinta, Sysyn, O'Neil, Lopez, DeVries, Garrity, Smith, Forest and Roy voted nay. Aldermen Osborne, Porter, and Shea voted yea. The motion failed.

Alderman Lopez moved to accept the report, suspend the rules, and place the ordinances on their final reading at this time without referral to the Committee on Accounts, Enrollment and Revenue Administration. Alderman Guinta duly seconded the motion. Mayor Baines called for a vote on the motion. There being none opposed, the motion carried.

Ordinances:

“Amending the Zoning Ordinance of the City of Manchester by clarifying Section 4.01 Establishment and Purpose of Districts, subsection (5) Residential Suburban Multifamily District (R-SM) by clarifying the purpose of the district and the minimum size.”

“Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multifamily) zoning district to include the full extent of a parcel of land on Old Wellington Road (TM 645, Lot 10) currently zoned R-1A.”

On motion of Alderman Forest, duly seconded by Alderman DeVries it was voted to read the Ordinances by title only, and it was so done.

These Ordinances having had their final readings by titles only, Alderman Sysyn moved on passing same to be Ordained. Alderman Forest duly seconded the motion. Mayor Baines called for a vote. Alderman Porter requested a roll call vote. Aldermen Porter, Shea and Osborne voted nay. Aldermen O'Neil, Lopez, DeVries, Garrity, Smith, Forest, Roy, Gatsas, Guinta and Sysyn voted yea. The motion carried.

(Item I)

Report of Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by amending Article 5, Section 5.10, G-6 of the Table of Principal Uses by inserting a “P” in the “IND-General Industrial/Industrial Park” column of item G-6 of the table.”

ought to pass.

On motion of Alderman Lopez, duly seconded by Alderman DeVries, it was voted to accept the report, suspend the rules, and place the ordinance on its final reading at this time without referral to the Committee on Accounts, Enrollment and Revenue Administration. None were recorded in opposition.

Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by amending Article 5, Section 5.10, G-6 of the Table of Principal Uses by inserting a “P” in the “IND-General Industrial/Industrial Park” column of item G-6 of the table.”

On motion of Alderman Roy, duly seconded by Alderman Garrity it was voted to read the Ordinance by title only, and it was so done.

This Ordinance having had its final reading by title only, Alderman Sysyn moved on passing same to be Ordained. Alderman DeVries duly seconded the motion.

Alderman Osborne stated I pulled this off the agenda. I would like to have Mr. MacKenzie elaborate a little bit on this.

Mr. MacKenzie stated in this case what the change would allow would be to have restaurants, which are currently allowed in the industrial district to be free to have drive-up windows. Currently you can have a restaurant not serving alcoholic beverages allowed, but it does not allow for drive-up windows so this would allow for drive-ups within this district just for restaurants not other type of uses and not pharmacies or others, just for restaurants.

Alderman Osborne asked and this would be without going through Planning. Is that what it means? If they put in a drive-up window they don't have to go to Planning and it is automatic as long as they meet the ordinance?

Mr. MacKenzie answered that would be on a case by case basis. If the Planning Board has recently approved, let's say a new restaurant, they might have to go back to the Planning Board to review the drive-up. If it is an older, non-conforming restaurant they may be able to just go to the Building Commissioner to get approval but normally a drive-up window would be on a case by case basis as to whether it had to go to the Planning Board.

Alderman Osborne asked and this is City-wide.

Mr. MacKenzie answered this is just in the Industrial districts, which include the East Industrial Park and probably a hand full of other portions of the City. It does not apply to residential districts and it does not apply to commercial districts.

Alderman Osborne asked was this in the Master Plan at all.

Mr. MacKenzie answered there was no reference to drive-up windows in the Master Plan.

Alderman Roy stated Mayor Baines as a freshman Alderman I would just like to notice that out of these three the words Master Plan have come up a number of times and I urge the

Mayor's Office and this Board to really look at the further we get away from our Master Plan time wise from the time it was created until now the more of these projects will come and meet with resistance and lack of knowledge because we don't have a plan in place so through the budget process I would encourage my colleagues to look at that and considering working on helping you.

Mayor Baines called for a vote on the motion to Ordain. The motion carried with Aldermen Shea and Osborne duly recorded in opposition.

Report of the Committee on Lands and Building:

- K.** Recommending that the Board approve a revocable license agreement with Dockside II Condominium Association for property on Riverfront Drive known as Map 105, Lot 8-A.
- The Committee notes that the Planning Department has recommended that the property not be disposed of, but "land banked" by the City given that it is the only property north of the Amoskeag Circle owned by the City with direct access to the river. This property is highly visible to the public at a major entryway to the City, and Dockside has been maintaining the parcel for some time. A revocable license will allow Dockside to continue maintenance of the property without liability to the City, while maintaining the City's interest in the property should any need arise. The Committee further recommends that the City Solicitor prepare such license and that execution of same be approved subject to approval of the City Solicitor.

Alderman DeVries stated although I am not opposed at all in the concept presented here, I do have difficulty being asked to approve a revocable license when I haven't seen the agreement in writing. I don't know if the City Solicitor has something prepared that they are trying to give out to us tonight so that we can see it.

Deputy Solicitor Arnold responded a revocable license has been prepared. I don't have it with me. I spoke to the property manager for Dockside II this afternoon about the process to get the requisite approvals from the Dockside Condominium Association should the Board pass this tonight.

Alderman DeVries stated I guess I would defer to the City Clerk. What would be the process that we could wait to see the formal agreement before we are asked to approve it?

Deputy Clerk Johnson stated it could be tabled until the next meeting.

Alderman DeVries asked is that the only process available to us.

Deputy Clerk Johnson answered that would be the only way for the Board to review it prior to an approval because the way the report is worded is to authorize them to prepare it and execute it subject to the conditions that were set forth.

Alderman DeVries stated I guess I have a couple of concerns and one is that we maintain access for public use on this property. Though it is going to be maintained and utilized by Dockside Condominiums, it is still public land. They are not going to be paying taxes on this property and I would hate to see any public individual wishing to utilize the land for, I think Alderman Garrity said bird watching or launching of a water craft not to be able to where there is not going to be a fee in lieu of taxes that I am aware of. I am also concerned that there be language to address any further improvements on the property. It does, within the recommendation, say that they will address hold harmless for injuries and the main concerns that we would have...I don't see anything addressing will the pavilion be maintained and are they going to be responsible for the maintenance and upkeep. I am also concerned that if there is ever a concern from the surrounding neighborhood, limited that it is, that there be terminology in there to address that there be no public nuisance. I can envision larger parties and somebody complaining about that. I will defer to Alderman Forest because I think he is anxiously waiting at the microphone.

Deputy Solicitor Arnold stated this license agreement is a revocable license agreement, which the City could revoke at any time if access or maintenance became an issue. The gazebo that is presently in place probably would hold about four people so even as it is presently there I wouldn't see it impeding access to the water should the City choose to use it in that manner.

Alderman DeVries replied just to follow-up if I might I am not talking about having access for future use for the City if they should need it for public use. What I am saying is that if any citizen of the City wishes to walk across that property to make use of that property it has to be open to them. They are not paying taxes and they also are not paying a fee in lieu of taxes so it should not be considered private property.

Deputy Solicitor Arnold responded that would be covered under the present agreement or the agreement I have drafted. I don't think that the Dockside II board has reviewed it yet. All it does is it is a license agreement to allow them to maintain the gazebo in place. It certainly doesn't give them an exclusive use of this property.

Alderman Forest stated I would like to ask my colleague from Ward 8 if she remembers that the original proposal was for Dockside to purchase the property from the City and maintain it as non-buildable and all of that and because of Alderman DeVries we decided not to sell the property. That is why we are here at this point. The conditions were and Dockside agreed to it and I know in Lands and Buildings at the last meeting it was referred to the City Solicitor's Office to work with Dockside and the City to come up with language that keeps the land non-buildable, gives Dockside the license to maintain it, which was also a request of my collage in Ward 8. They have been maintaining the property for almost 12 years. They mow the lawn. They cut the trees. They are allowing access to the City. They have always wanted to allow access to the City so I believe that they have worked with the City and they

have worked with Planning and they have worked with the City Solicitor's Office and I am asking that this motion be passed tonight with the condition if you want that they still work with the City Solicitor's Office because that has been done for the past six or seven months. I am asking that this be moved and passed tonight.

Alderman Garrity stated I don't have a problem with the motion. What I have a problem with is the process. I mean we were asked to approve this license and Alderman DeVries is absolutely right. We are asked to approve things and we don't have any documentation in front of us. Mr. Arnold, you say you have a draft but I have a problem voting on something...I mean we have done it with a few contracts before but if we don't have it in front of us we postpone the vote. It is just the process and it is more of an editorial comment than anything else.

Mayor Baines asked do we have a motion on the floor.

Deputy Clerk Johnson answered no.

Alderman Forest moved to accept the report of the Committee on Lands and Buildings. Alderman Osborne duly seconded the motion. Mayor Baines called for a vote. The motion carried with Aldermen DeVries and Garrity being duly recorded in opposition.

Nominations to be presented by Mayor Baines.

Police Commission

Cal Cramer to fill the unexpired term of Ralph Garst, term to expire September 15, 2004.

Mayor Baines stated I am nominating Cal Cramer. I think many of you know he is a distinguished public servant who served for many years on the Zoning Board. I am nominating him to fill the unexpired term of Ralph Garst on the Police Commission. As per the rules of the Board this nomination would lay over until the next meeting unless somebody would like to confirm it this evening.

Alderman Porter moved to suspend the rules and confirm the nomination of Calvin Cramer to the Police Commission, term to expire September 15, 2004. Alderman Osborne duly seconded the motion. Mayor Baines called for a vote. There being none opposed, the motion carried.

OTHER BUSINESS

Communication from Alderman Lopez suggesting the Board refer two Charter Amendment questions to the Committee on Administration for review and report back to the Board.

Alderman Lopez moved to refer two Charter Amendment questions to the Committee on Administration. Alderman Garrity duly seconded the motion. Mayor Baines called for a vote. There being none opposed, the motion carried.

Communication from Ronald Ludwig, Director of Parks, Recreation and Cemeteries, seeking the Board's approval to enter into a corporate beverage sponsor agreement with the Coca-Cola Bottling Company of Northern New England, Inc. for the City's two ice arenas.

Alderman Shea moved to approve the agreement and authorize execution of same subject to the review and approval of the City Solicitor. Alderman Roy duly seconded the motion.

Alderman DeVries stated in reading through the contracts briefly I think my only concern is that we didn't seem to have a whole lot of control over the type of scoreboard that will be purchased and I just wanted to confirm with Parks & Recreation that he will have some oversight to make sure that his needs are met with the scoreboard as it will be purchased by the distributor.

Mr. Ron Ludwig stated yes. Coca-Cola has been excellent to work with and they are indicating a dollar value but basically this would go to JFK where we really use two scoreboards for our events and there is some latitude allowed in regards to the kind and style that we want.

Mayor Baines called for a vote. There being none opposed, the motion carried.

Copy of a communication from Paul Martineau, Welfare Commissioner, to Mayor Baines recommending that the Board of Mayor and Aldermen go on record as being in opposition to HB1290 which proposes to reduce benefits for Temporary Assistance to Needy Families (TANF) recipients.

Alderman O'Neil moved to approve the request. Alderman Porter duly seconded the motion. Mayor Baines called for a vote. The motion carried with Aldermen Gatsas and Guinta abstaining.

Alderman O'Neil stated I would like to commend the Commissioner for bringing this to our attention. We seem to get hot and cold from departments about what is going on in Concord and I know you struggle to get information from the departments. Can you maybe get something out to all of them reminding them...

Mayor Baines interjected we have been working very, very hard on trying to follow legislation this session. I have already been up to Concord twice this week.

Alderman O'Neil stated it would be good for us to know because I know sometimes we have gotten got caught flat footed on that so if we could get that information as well.

Alderman Lopez stated I just want some clarification. One of the recommendations was for opposition and the other one was support. Can we have the Commissioner explain that please? I want to make sure that the motion that we just voted on is correct. One is in opposition to a bill and one is in support of a bill.

Commissioner Martineau stated there are two separate bills. Basically we had a meeting on January 16 with the Mayor and department heads and members of our Legislative delegation and the reason is because we all wanted to talk with one voice when we went up to Concord. So this particular bill, HB1290, we should be in opposition to because this is one that reduces TANF payments from five years to two years. What that means is that the burden of helping these recipients would fall on the City and the President of our association, the local NH Welfare Administrative Association, Keith Bates, testified in Concord against this bill. The other bill is HB1398 and this particular bill we should be in favor of. What it does is it allows the City...if a non-resident of Manchester comes to Manchester and we have to help this person we can then for the first 30 days go back to that community where he was a resident and ask them to pay us back whereas now we have a gentleman's agreement – it is an ethics resolution in our association but the community doesn't have to. We can ask but basically they can disregard us. So you should be in opposition to HB1290 and in favor of HB1398.

Alderman O'Neil moved to support HB1398-FN-LOCAL. Alderman Lopez duly seconded the motion. Mayor Baines called for a vote. The motion carried with Aldermen Gatsas and Guinta abstaining.

Communication from Thomas Seigle, Chief Sanitary Engineer, seeking the Board's authorization to enter into a Septage Service Agreement with the Town of Litchfield.

Alderman Shea moved to approve the agreement and authorize the Mayor to execute same on behalf of the City, subject to the review and approval of the City Solicitor. Alderman O'Neil duly seconded the motion.

Alderman Gatsas stated in the past I believe these agreements have gone to Administration.

Deputy Clerk Johnson stated there were two other identical agreements that went to Administration, well one went to Administration and I think the other one was acted on directly by the Board but I could be wrong. They did go to Administration first.

Mayor Baines asked is there any problem with it going to Administration and dealing with it at a subsequent meeting.

Mr. Kevin Sheppard stated I believe Alderman Gatsas is correct. I know at least one of them has gone to the Committee on Administration. This is very similar or the same as the other two, therefore, I believe it was just asked to go straight to the Board. If it goes to the Committee on Administration, that would be okay.

Alderman Gatsas asked Kevin can you tell me are we getting close to capacity.

Mr. Sheppard answered we are looking...I don't have the exact dates but in the future probably 10 years. I don't know the exact dates but we will be looking to expand the treatment plant.

Alderman Gatsas stated at some point obviously the City is in a very lucky position because these communities now must find places to drop their septage. Now are we getting fair market value for that?

Mr. Sheppard responded yes. The haulers that are hauling in will pay the same rate as any other hauler that is hauling in. For example, Litchfield if they do drop the 500,000 gallons per year, which potentially they could bring in, that is an approximate revenue of \$35,000.

Alderman Gatsas stated I believe the other two contracts that we approved were basically in the same vicinity. My understanding is that it doesn't cost you that kind of funding to move the septage or to do whatever we have to do...purify it may not be the right word.

Mr. Sheppard replied correct. The treatment plant runs 24 hours a day.

Alderman Gatsas asked isn't it time your Honor and I understand that we are talking about an Enterprise but at some point if the taxpayers in that ward and I don't know if there is still that aroma that permeates from the purification...

Mayor Baines interjected I haven't experienced it for awhile.

Mr. Sheppard stated we have actually invested quite a bit of money in the last two years in covering a lot of our equipment down there.

Alderman Gatsas asked what is the possibility of some of those funds coming back to the general fund.

Mr. Sheppard replied excuse me.

Alderman Gatsas asked what is the opportunity of some of those funds coming back to the general fund.

Mr. Sheppard answered I believe by law and I am just looking to Kevin Clougherty for confirmation on that but by law these are considered the Enterprise funds. These are sewer user fees that come right back into the Enterprise and I am not too sure...and Kevin Clougherty could probably speak better on that than I could.

Mr. Clougherty stated there is a state statute that governs the use of the fees and how they can be use. I don't have it off the top of my head but I will be happy to provide it to you.

Alderman Gatsas asked your Honor is that something that you are advising the Legislative delegation look into.

Mayor Baines answered only if you look into it and tell us what you are doing. That would be nice.

Alderman Gatsas asked is that a recommendation that you would make that the money come back to the general fund.

Mayor Baines answered we could explore all kinds of options.

Alderman Gatsas stated or we should at least make it enabling legislation.

Mayor Baines responded at least clarify what the situation is would be helpful I think.

Mayor Baines called for a vote on the motion to approve the Septage Service Agreement with the Town of Litchfield and authorize the Mayor to execute same on behalf of the City, subject to the review and approval of the City Solicitor. The motion carried with Alderman Guinta being duly recorded in opposition.

Communication from Frank Thomas, Public Works Director, requesting authorization to accept State funds and execute any related documents for the Household Hazardous Waste Collection Project to be held on Saturday, May 8, 2004.

On motion of Alderman Forest, duly seconded by Alderman Sysyn it was voted to accept the funds, remand for the purpose intended, and authorize the Public Works Director to execute any documents necessary to carry out the project.

Request for Proposals for Legislative Monitoring and Lobbying Services

Mayor Baines stated we did distribute, at the request of Board member Alderman Wihby made a motion in December to authorize the City Solicitor to develop an RFP – Request for

Proposals for Legislative Monitoring and Lobbying Services...it's been distributed this evening I would ask Mr. Arnold to do just a summary of this for the Board.

Deputy City Solicitor Arnold stated as the Mayor said the Solicitor's Office was asked to draft an RFP for lobbying services...you have that in front of you. Basically, it lists the services to be provided for the lobbyist, ask for a lump sum price for services throughout the entire 2004 Legislative Session. Beyond that I guess I would certainly try to answer any questions, if there are any.

Alderman Roy stated under Basis of Proposals we have #2 "providing services for the entire 2004 legislative year" since we're already underway and a lot of the lobbying effort should have already taken place...in an apples-to-apples comparison shouldn't we be looking at a 2005 full-year cost.

Mayor Baines interjected or you could do two things: you can do for the rest of this year and a two-year proposal too; that was a desire of the Board.

Alderman Roy stated I think that would be prudent.

Alderman Guinta stated the second half of the Legislative Session just began three weeks ago, so you're going to have at least through June...what's the timetable of this...return by thirty (30) days...conceivably they could be...

Mayor Baines replied we could do a short-term, something like that could be advertised for a couple of weeks, couldn't it...I'm sure we'd get proposals.

Deputy City Solicitor Arnold stated what I could do is I could ask for proposal...this proposal would, of course, be for the remainder of the year at this point. I could also ask him to quote a price for the full 2005 Legislative Session.

Alderman Guinta stated which would also include research and getting ready for the 2005 Legislative Session.

Alderman Shea stated at present don't we pay a certain fee to the Municipal Association.

Mayor Baines stated we do for a number of different services and they do give us pretty much a weekly report on the different bills and again we're trying very hard to help track it, but we just do not have the resources...

Alderman Shea asked would we then replace them with this or would we retain their services as well.

Mayor Baines replied we've already joined like we always have and that's something that would be subject to the budget deliberations going in for the next fiscal year; that is something at this time I would recommend not being a member of that organization.

Alderman Shea stated so basically what you're explaining is we're paid up until the beginning of the next fiscal year. What you're saying, in essence is, that we hire someone as a lobbyist once the RFP is complete, therefore, we make a decision concerning whether or not we continue with their services.

Mayor Baines stated we get a proposal back and then you decide whether you want to go forward with it or not. So, it's just to put out an RFP to see what it would cost and then we could see whether we wanted to do it or not.

Alderman O'Neil stated this is just a proposal, it's not a low bid.

Deputy City Solicitor Arnold replied that is correct.

Alderman Roy stated under Section 4 I think the spirit "list of other New Hampshire municipalities to which they provide lobbying services to..." to keep...to bar from any conflict of interest, could we have a list of all clients that they provide lobbying services to.

Deputy City Solicitor Arnold stated I could certainly add that.

Alderman Roy stated I think a lot of the major associations have lobbying firms.

Alderman Smith stated I know the Basis of Awards doesn't have a cost in here, what's the situation on that.

Mayor Baines replied they would come in with a proposal with a cost and then we'd come back and say we'd want to accept it or not or go forward from there.

Alderman Smith stated so you're free lancing and it could be a low amount or...

Mayor Baines stated somebody will submit a proposal.

Deputy City Solicitor Arnold stated if you look under #2 under Basis of Award it says "the place of the proposal".

Alderman Smith stated but all I'm saying is is cheaper better.

Mayor Baines replied not necessarily.

Deputy City Solicitor Arnold stated it's not designed that way.

Mayor Baines stated that was Alderman O'Neil's point. We want to make sure that if we are going to do this that we get the kind of services that we want and cheaper is not always better in many things.

Alderman Roy asked when these proposals come in who is going to be reviewing them?

Mayor Baines replied what we would do...they'd come to the Mayor's Office and I could sit down with Alderman Shea and perhaps form a little ad hoc group to review them and then report back to the Board.

Alderman Shea responded it sounds like a good idea.

Alderman Gatsas stated my understanding of the motion for this proposal was that the money that we were spending on the Municipal Association was going to be reduced if this amount was less because I think we are spending \$35,000 with the Municipal Association.

Mr. Clougherty responded I think it is \$20,000 or \$25,000.

Alderman Gatsas stated my understanding was that we could do it for less if we were going to get another lobbyist. I don't believe ex-Alderman Wihby made the motion that both of them would be succinct.

Mayor Baines replied that wasn't our understanding of that. Our membership in the NH Municipal Association is not just there for lobbying services. That is one function that they perform and obviously they lobby for cities and towns and sometimes there are conflicts between what cities want and towns want, etc. That is something we can deal with during the next budget session because we already budgeted for that membership for this year.

Alderman Gatsas asked where are these funds going to come from.

Mayor Baines answered that is what we have to determine once we get a proposal. Obviously we could look at contingency or other sources that the Finance Officer might recommend. Again, all we are doing now is going out for proposals and then it would come back to the Board and we would make some final decisions.

Alderman Porter asked the approval process would be that they are submitted to your office, Mayor, but the Board would do the final approval.

Mayor Baines answered that is correct.

Alderman Roy moved to approve the RFP with the adjustments that were discussed with the Solicitor. Alderman O'Neil duly seconded the motion. Mayor Baines called for a vote. The motion carried with Aldermen Gatsas, Guinta and Garrity being duly recorded in opposition.

TABLED ITEM

17. Report of the Committee on Community Improvement recommending that the Board authorize transfer and expenditure of funds in the amount of \$40,000 (Other) for CIP 511603 Recreation Facility Improvements (Leveraged) Project. (Tabled 12/02/2003 per request of Alderman DeVries.)

This item remained tabled.

NEW BUSINESS

Deputy Clerk Johnson stated there are two items of new business and both are from Aldermen. One is a communication from Aldermen Osborne and Shea. I am not sure which of them want to address it first.

Mayor Baines stated there is a communication and a request that this be referred to the Committee on Administration.

Alderman Shea moved to refer the issue of tax exemptions for Veterans to the Committee on Administration. Alderman Osborne duly seconded the motion.

Alderman Gatsas stated I certainly applaud my two colleagues for bringing this forward. This is a piece of legislation that I was the fine sponsor on. I think not only should we look at the disability portion because it allows us...it is enabling legislation to increase it from \$1,400 to \$2,000 or anywhere in between there but we should also consider changing the exemption for Veterans from \$100 to somewhere between \$100 and \$500 and we should be looking at the senior exemption, which enables that based on the legislation that is here to make some variations on what incomes can be and what the asset values can be. Maybe the Assessors can do some calculations because I have heard from...my understanding is that Hooksett has lifted the entire ceiling for its asset limits and I think that is something that maybe we can put into different categories that if you are over age 80 maybe that asset limit changes but it is something that we should look at as a Board on the entire process that is here before us. Again, I commend my colleagues for bringing it forward.

Alderman Lopez stated I also concur with that so if this goes forward I would like all Veterans included in this bill.

Mayor Baines stated this motion is to refer it to Committee so they can do an analysis of the impact on taxes and tax bases and that will all be put together for the Committee on Administration.

Mayor Baines called for a vote. There being none opposed, the motion carried.

Deputy Clerk Johnson stated there is an additional piece of communication, which I believe Alderman Shea was looking to address. It is a request for funding.

Alderman Shea stated we have two representatives here that I would like to stand to have recognized. They are both coaches from the Manchester Regional Youth Hockey Association midget hockey team and I happen to know one because he went to Hallsville School and the other I met his father-in-law the other day and his son plays for Central High School. There is a letter that was drafted...this particular hockey team, midget team, involves students from Memorial High School as well as from Central High School and prior to the actual season beginning they play together on a midget team and that is restricted to under 17 years of age and they compete in a very high profile league and as a result of the competition they were able to win the state championship and then they participated in what they call the regional championship and there were teams that participated from Connecticut and all of the New England states except for Massachusetts and they are divided into two tiers. There is one tier which was a team from Connecticut that is going to Michigan and they are participating in the Tier 1 Program. This particular group of athletes is going to a better place really, Dallas, Texas and competing in the Tier 2. What I am asking is for a \$2,000 donation from the City to help defray the cost of transportation on the part of the athletes. I believe that they will have to pay some of their airline tickets to fly back and forth so I am asking that that be approved.

On motion of Alderman Shea, duly seconded by Alderman O'Neil it was voted to donate \$2,000 from contingency to the Manchester Regional Youth Hockey Association's Midget team.

Alderman Roy stated I have a quick note. As a new Alderman I have been inundated with materials, which I am very happy with but if I could just ask publicly all of the department heads don't use envelopes and stationery. Go ahead and use the interoffice envelopes unless it is absolutely confidential. Just with the envelopes that I have thrown out in my house it kind of defeats the Solid Waste Committee's movement to reduce our trash in Manchester. If we could use interoffice envelopes that could be recycled I would appreciate it.

Mayor Baines stated eventually maybe we could go to a paperless system where everybody has a laptop. A number of Boards across the country have gone to paperless meetings. We had some discussions...

Alderman Forest interjected would that be part of our budget.

Mayor Baines stated it may be something to consider. I agree with Alderman Roy that the amount of paper we get inundated with is extraordinary but I do recycle and I hope all of you are doing that as well.

Alderman Smith stated while we are on the subject of solid waste I made some considerations to the Highway Department back in November about leaf pick-up. Everybody knows in this City that Christmas trees were supposed to be picked up from January 5 to the 16th. They haven't been picked up even today and I would like to have this Committee meet with the department and the contractor to see if this can be rectified. It is terrible.

Mayor Baines responded Mr. Frank Thomas has addressed that in a very straight forward manner and brought it to the attention of Waste Management. Their obligations have not been met so we are addressing that.

Alderman Guinta stated tonight I distributed a letter regarding the waiver documents that were executed between 6 to 4 to 3 and the Red Sox. The concern that I have given the initial article in the newspaper today and Drew Weber's comments regarding future interest in 6 to 4 to 3 I thought it was appropriate for this Board to address the issue of assignment of the waiver. We are not...we have not been privy to the documents executed between the Red Sox and 6 to 4 to 3 regarding the waiver and I think that before we continue down the path of supporting the development and the building of the stadium that we should insure that if the team is sold that there is an assignment clause regarding the waiver that was provided from the Red Sox to Drew Weber.

Mayor Baines responded the only thing I know is there was a confidentiality agreement if I remember between the Red Sox and 6 to 4 to 3 but if there are any documents that we can provide we will provide them to the special committee.

There being no further business to come before the Board, on motion of Alderman Smith duly seconded by Alderman Guinta it was voted to adjourn.

A True Record. Attest.

City Clerk